J.F.9-1895

G. R. S. IX-5]

Previous references.

1895-6.

~~191~~ .

(Courts.)

File No. 7-1895

Serial Nos. 1-3

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3.

Major Part B for June 1896

SUBJECT.

Memorial of Syed Hayath to H. H. the Maharani Regent of Mysore

---

Countermarked

Posted

No 356

MEMO. OF PAPERS CIRCULATED TO COUNCILLORS.

For information

SUBJECT.

Order passed by H. H. the Maharaja Regent of Elysore on the memorial of prisoner Syed Hyath, with the records connected with it

By order,

17 June 1896 for General Secretary

To—

Rajadharma Pravina
T. R. A. Thumboo Chetty, Esq., C.I.E. 17/6/96

P. N. Krishna Murti, Esq. 19/6/96

Khan Bahadur Abdul Rahman, Esq. 21-6-96

The Dewan Secretary 22/6/96

3359

MATTER FOR COUNCIL.

SUBJECT

Memorial presented by prisoner Syed Hyath, now undergoing imprisonment in the Mysore Jail, to H the Maharaja Regent of Mysore praying for his release from the Jail.

Circulated to Councillors.

By order.

May 1896 for ~~General~~ Secretary

Names.	Date of receipt.	Date when passed on.
Rajadharma Pravina T. R. A. Thumboo Chetty, Esq., C.I.E. ..	23-5-96	24-5-96 Vide my remarks in the margin
P. N. Krishna Murti, Esq.		26/5/96
Khan Bahadur Abdul Rahman, Esq.	24-5-96	24-5-96 Vide my remarks in the margin
The Dewan		

There are no grounds to interfere ~~with~~ the conviction has been upheld & I fix — There are no external circumstances to justify the exercise of prerogative of mercy — I would humbly advise it to the Maharaja Regent to reject this memorial

24. 5. 96

There is no ground to interfere.
There is no room for mercy.
24th. May 1896

Abdul Rahman

Medical evidence is 28th Oct 95 & the period of imprisonment which is four months expired on the 28th Feby 1896. There is therefore no ground for the exercise of any mercy in the matter of pardon. The four persons have been liberated long ago in due course. The memorial is dated 30th March. The sentence had been suspended from the 12th Dec to 24th January & therefore was undergoing till about the 10th or 15th April when memorial was not forwarded till the 17th April 96; when the prisoners had been liberated. The memorial has therefore been rejected & this is my humble recommendation to which it behoves the Maharaja Regent.

Acd

20/5/96

On 5th Nov/95 the District Magistrate ordered the suspension of the sentence. The Prisoner was accordingly released on the 7th December. There is nothing on the record to show that he was re-arrested as soon as the District Magistrate dismissed his appeal. He seems to have remained at large until 19th Feby/96 on which date he was re-arrested under the District Magistrate's orders. Please see the Rahadari in the record. To the sentence of 4 months awarded by the

ended the period of
3 months 17 days
during which the
Applicant seems to
have been at large.
He cannot therefore
be released from jail
till the 8th day of June 96.

Ld. Advocate for
the Respondents
Leave of Reconsidera
tion of the remark

Ld.
30/5/96

On merits also
I am of opinion that
there is no ground
for interference -
In such cases a
wide regard is
to such particu
-culars as above
mentioned ought
to be added

31/5/96

Stp
There are no grounds
for any interference
with the Sentence passed
upon the accused. Rule
discharged

Ag.

Draft Submitted for approval as per personal orders of this afternoon. 5.6.96.

Approved as corrected by H.H. 5.6.96.

In the Matter of a Memorial submitted by Sud Hyd Prisoner in Criminal Case No 20 of 1895-96 on the file of the Munsiff's Court of Hole Narsipur praying for the remission of the sentence of 4 months imprisonment passed upon him by the Munsiff's Court & confirmed in appeal by the District Court of Hassan, and, in revision, by the Chief Court.

Her Highness the Maharani-Regent

has been pleased to pass the following

Order.

There are no grounds for any interference with the sentence passed upon the memorialist. The memorial is accordingly rejected

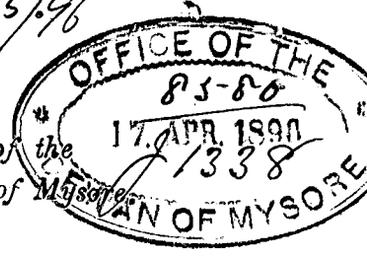
Kempanarayanamma

5-6-96.

T.

(General Serial No. 30.)

1895/96



659-1895-1

From

The Reigstrar of the
Chief Court of Mysore.

To

The ~~General~~ Secretary
to the Government of Mysore.

Dated 17 April/96

Despatched 17 —

Received 17 — @ 8 P.M.

Enclosures No. three & records

General No. 4840

No. 208

Forwards the accompanying memorial (with its translation) preferred by prisoner Sayed Hyath of the Mysore Jail.

J 17-4-96

Records since perused & are herewith submitted.

19/5/96

Criminal appeal records.
No 2 C/96
1895-96
on the file of the
Chief Court

Central Jail Press, Bangalore.—18-12-95.—502.

Nil 840 Jn: 3
208 Records

2

Bangalore, 17th April 1896.

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the
Government of Mysore,
Bangalore.

Sir,

I am directed to forward the accompanying Memorial in original (with its translation) preferred by prisoner Sayed Hyath, who is now undergoing sentence of imprisonment in the Mysore Jail.

2. The record in Criminal Revision Petitions Nos: 80 and 83 of 1895-96 on the file of this Court is, herewith, sent for perusal and return when no longer required. The District Magistrate of Nasoor has this day been requested to submit the entire record in Criminal Appeal No. 25 of 1895-96 on his file direct to your address to save delay.

Keep till the Cases Disposed of 1896

I have the honor to be,
Sir,
Your most obedient Servant,
Stephen
for Registrar.

Nil

№ 3647
2212

In the Chief Court of Mysore at Bangalore,
Friday the 24th day of January 1896.

Present:

J. W. Best Esqre, Chief Judge.
and
C. Srinivachariya Esqre, Judge.

Criminal Revision Petition

№ 80 of 1895-96, presented by Syed Ayal, x Appellant in Criminal Appeal № 258 of 1895-96 on the file of the District Magistrate of Hassan.

x accused in Criminal Case № 20 of 95-96 on the file of the Munsiff Magistrate of Hale-Narsipur.

This Petition coming on for hearing on Friday the 10th day of January 1896: Upon perusing the petition and the record of the case, and upon hearing the arguments of Mr. Sabapathi Iya, Advocate on behalf of the Petitioner, the Court pronounced the following

Order.

The bars admitted were found in Petitioner's shop. They are proved to belong to the Kempa Gold mining Company. Petitioners

case

Case was, that they were given to him by the Toddy Inspector. The evidence of his witnesses in support of this plea of his is contradictory, and has been rightly rejected by both the Magistrates. The Toddy Inspector examined by the Court has denied that he gave the bars to the Petitioner.

There was clearly no illegality in the Magistrate examining the Inspector.

There is no ground for our holding the decision of the Courts below to be erroneous.

This Petition must be rejected and the sentence carried out.

A true Copy

Registrar

Copy for prisoner thro' Supt Mysore Jail.

Rejn No: 335 30/11/96

Date received 2/12/96

To

Her Highness the Maharani - Regent
of Mysore

Memorial submitted by
Syed Hazath, prisoner no 3564,
undergoing Sentence of imp^t ^H.L.
in the Mysore Jail.

The Toddy Inspector referred
to in the Copy of the Judgment
herein enclosed brought and
gave me the bars to prepare
Crow-bars out of the same. I was
working at them. From the Com-
plainants' depisition given before
the Court, it appears that the Toddy
Inspector is at fault. Such being
the Case, all the three Courts
have Confirmed the Conviction
and Sentence. I therefore pray that
my Case may be Considered,
that all the records may be obtained
and perused and that I may be
ordered to be released.

30. 3-96 (Sd) in Hindustani

Signed before me

Deputy Sheriff Wayne Jail

7

(General Serial No. 30.)

1895/96

OFFICE OF THE DIWAN OF MYSORE. 9232. 15. MAY 1896. F 1450

From

The Registrar of the
Chief Court of Mysore.

To

The ~~General~~ Secretary
to the Government of Mysore.

C57-1895-2

Dated 15 May/96

Despatched 15 —

Received 15 — 96 —

Enclosures No. Memo

General No. 5/33
No. 214

Forwards record in Criminal appeal No 25 of 1895-96 on the file of the District Magistrate of Hassan for reference in connection with the memorial prefered by prisoner Sayed Ayat —

J 15/5/96

The memorial alluded to in the letter was sent to Under Secty with J File No 7 of 1895-6. GR 16-5-96

Memorial & Records put up & sent

Put up Circular Sheet 21/5/96

Central Jail Press, Bangalore.—18-12-95.—502.

No. 5433/214 enclosures.

Bangalore, 15th May 1896.

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the
Government of Mysore,
Bangalore.

Sir,

In continuation of this Office No. 4940/208 dated 17th April 1896, I have the honor to forward the record in Criminal Appeal No. 25 of 1895-96 on the file of the District Magistrate of Hassan, for reference in connection with the Memorial preferred by prisoner Sayed Ayat undergoing imprisonment in the Mysore Jail.

I have the honor to be,
Sir,
Your most obedient servant

D. Rajagopalachariar
Registrar.

9

Dewan

OFFICE OF THE ~~GOVERNMENT~~ OF MYSORE.

No. 13298 ene 14 juli Dated Bangalore, 9th June 1896
8159 of friends

From

The ~~General~~ Secretary to the Government of Mysore.

To

The Registrar of the Chief Court of Mysore.

Sir,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Syed Hyat undergoing sentence of imprisonment in the Mysore Jail, copy of order passed by H. H. the Maharani Regent of Mysore, on the prisoner's memorial on 5 June 1896

2. The entire records received with your letter No. 4840-208 dated 17 April 1896 are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

~~General~~ Secretary.